

REMARKS

The claims now in the case are claims 38-56.

The Examiner is thanked for the indication of allowable subject matter in previous claims 25 and 28-37. These claims correspond to present claims 44 and 47-56.

Previous claim 20 was rejected under 35 USC 102(b) as being anticipated by Ryczek. Previous claim 20 corresponds to present claims 38 and 39. The teachings of Ryczek and the application of these teachings to previous claim 20 are found on pages 2 and 3 of the Office Action. As this rejection applies to present claims 38 and 39, it is traversed.

Previous claim 20 called for the vessel to have a hull having a ceiling and for at least one inflatable airbag to be stored on the ceiling. This claim was interpreted by the Examiner so that an airbag stored on the floor of an upper compartment anticipated an airbag stored on the ceiling of the lower compartment. Claim 38 now makes it clear that the airbag is stored on the lower surface of the ceiling. This is not new matter as it is repeatedly shown in the drawings. This limitation avoids the reference which requires that the airbag be stored on the floor, not the lower surface of the ceiling. In view of this amendment, it is considered that present claims 38 and 39 are allowable over Ryczek.

Previous claims 21-23 were rejected under 35 USC 103(a) as being unpatentable over Ryczek in view of Tuffier for the reasons set forth on pages 3 and 4 of the Office Action. As applied to present claims 40-42, this rejection is traversed.

Previous claim 24 was rejected under 35 USC 103(a) as being unpatentable over Rycek in view of Bick et al for the reasons set forth on page 4 of the Office Action. As applied to present claim 43, this rejection is traversed.

Previous claim 26 was rejected under 35 USC 103(a) as being unpatentable over Ryczek in view of Day for the reasons set forth on page 5 of the Office Action. As applied to present claim 45, this rejection is traversed.

Previous claim 27 was rejected under 35 USC 103(a) as being unpatentable over Ryczek in view of Gilbert for the reasons set forth on page 5 of the Office Action. As applied to present claim 46, this rejection is traversed.

As to the rejection of previous claims 21-24, 26, and 27 based upon 35 USC 103(a), it is noted that the above amendment presenting claims 38 and 39 requires that the airbag be stored on the lower surface of the ceiling. This limitation overcomes the rejection based on the Ryczek reference. The decision of In re Fine, 5 USPQ2d 1596 (Fed. Cir. 1988), holds that once a broad independent claim is patentable over the prior art, a narrow dependent claim is likewise patentable. It is thus considered that an independent discussion of the dependent claims is not necessary at this point.

In view of the above amendment and remarks, it is believed that claims 38-56 are allowable and a notice to that effect is solicited.

Respectfully submitted,


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